

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER

☐

DATE

December 18, 2013

MOTOR CARRIER MATTER

☐

DOCKET NO.

2013-392-E

UTILITIES MATTER

☒

ORDER NO.

2013-911

THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.

SUBJECT:

DOCKET NO. 2013-392-E - Joint Application of Duke Energy Carolinas, LLC and North Carolina Electric Membership Corporation for a Certificate of Environmental Compatibility and Public Convenience and Necessity for the Construction and Operation of a 750 MW Combined Generating Plant Near Anderson, SC - Discuss with the Commission Duke Energy Carolinas, LLC and North Carolina Electric Membership Corporation 's Objection to Invenergy Thermal Development LLC's Petition to Intervene.

COMMISSION ACTION:

Invenergy Thermal Development, LLC has moved to intervene in Docket No. 2013-392-E, the Joint Application of Duke Energy Carolinas, LLC and North Carolina Electric Membership Corporation for a Certificate of Environmental Compatibility and Public Convenience and Necessity for the construction and operation of its proposed generating plant near Anderson, South Carolina. Duke and NCEMC have jointly opposed Invenergy's petition to intervene. The Office of Regulatory Staff has expressed support for the petition to intervene. However, while Invenergy may have some interest in the Application and may even have information which the Commission might find useful, it has not articulated a legally recognized basis for standing. Invenergy has shown no injury in fact and no invasion of a legally protected interest that is concrete and particularized. Because standing to appear as a party to the proceeding is a threshold issue, we must deny the petition to intervene at this time. If, prior to January 7, 2014, Invenergy can make a showing of standing, we would entertain a renewal of the motion at that time.

PRESIDING: HamiltonSESSION: RegularTIME: 2:00 p.m.

	MOTION	YES	NO	OTHER
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
MCGEE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
RANDALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

(SEAL)

RECORDED BY: J. Schmieding

